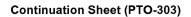
## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
10/583,622	WASHIO ET AL.
Examiner	Art Unit
BABAR SARWAR	2617

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The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ress	
THE REPLY FILED <u>06 October 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1.  The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following rapplication in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C periods:	eplies: (1) an amendment, affidavi al (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	which places the r (3) a Request	
a) The period for reply expiresmonths from the mailing	date of the final rejection.			
b) The period for reply expires on: (1) the mailing date of this Adno event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (left)	dvisory Action, or (2) the date set forth ter than SIX MONTHS from the mailing	g date of the final rejection	on.	
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f	).	THOTRE ET WAS TO	LLD WITHING TWO	
Extensions of time may be obtained under 37 CFR 1.136(a). The date of have been filed is the date for purposes of determining the period of extrumer 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount of the corresponding a	of the fee. The appropria nally set in the final Offic	ate extension fee be action; or (2) as	
2. The Notice of Appeal was filed on A brief in compl	iance with 37 CFR 41.37 must be	filed within two month	s of the date of	
filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed wi	sion thereof (37 CFR 41.37(e)), to	avoid dismissal of the		
AMENDMENTS				
3. The proposed amendment(s) filed after a final rejection, be (a) They raise new issues that would require further core (b) They raise the issue of new matter (see NOTE below.	sideration and/or search (see NO		cause	
(c) They are not deemed to place the application in bett appeal; and/or	•	ducing or simplifying t	he issues for	
(d) ☐ They present additional claims without canceling a c	orresponding number of finally reje	ected claims.		
NOTE: (See 37 CFR 1.116 and 41.33(a)).				
4. The amendments are not in compliance with 37 CFR 1.12		mpliant Amendment (	PTOL-324).	
<ul><li>5. Applicant's reply has overcome the following rejection(s):</li><li>6. Newly proposed or amended claim(s) would be allert</li></ul>	•	imely filed amendmer	nt canceling the	
non-allowable claim(s).  7. For purposes of appeal, the proposed amendment(s): a) [ how the new or amended claims would be rejected is prov		l be entered and an e	xplanation of	
The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:				
Claim(s) objected to: Claim(s) rejected: <u>1-19 and 21-25</u> .				
Claim(s) withdrawn from consideration:				
AFFIDAVIT OR OTHER EVIDENCE	1			
<ol> <li>The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>				
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).				
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	of the status of the claims after en	ntry is below or attach	ed.	
11.  The request for reconsideration has been considered but see attached document.	does NOT place the application in	condition for allowan	ce because:	
<ul><li>12. ☐ Note the attached Information <i>Disclosure Statement</i>(s). (</li><li>13. ☐ Other:</li></ul>	PTO/SB/08) Paper No(s)			
/NICK CORSARO/	/BABAR SARWAR/			
Supervisory Patent Examiner, Art Unit 2617	Examiner, Art Unit 2617			



Application No.